

Application No. 10/616,995

REMARKS

Applicant has carefully studied the outstanding Official Action mailed on July 6, 2006. This response is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application are respectfully requested.

Applicant wishes to express their gratitude to the Examiner and Supervisor Max Hindenburg for the courtesy of a telephone interview with Applicant's representative, David Klein, Reg. Patent Agent 41,118, on July 19. Alternative language for "a function of" was proposed in the interview and in subsequent e-mail correspondence.

The drawing of Fig. 2 stands objected under 37 CFR §1.83(a) for failing to "clearly show the 3D image of muscle contraction as sensed by the claimed position sensing system."

Fig. 2 has also been amended to overcome the 37 CFR §1.83(a) objection and it is respectfully submitted that Fig. 2 now clearly shows the 3D image of muscle contraction as sensed by the claimed position sensing system. Element numbers have been added to the drawing and the specification as suggested by the Examiner. No new matter has been added.

Claims 1-7 stand rejected under 35 USC §112, first paragraph (and second paragraph for basically the same reason) for failing "to describe or teach one of ordinary skill of the art how the claimed processor [is] operative to process data of the claimed EMG system and the claimed three-dimensional position and orientation information from the at least one position sensor [to] provide an output that comprises electromyographic activity data as a function of the three-dimensional position and orientation of said at least one position sensor."

Applicant respectfully traverses the 112 rejections. However, in order to expedite allowance of this application, claim 1 has been amended to accurately recite the language of last paragraph of page 4. In this manner, it is respectfully submitted that the 112 rejections are overcome, no new matter has been added and the claim matches Fig. 2.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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